UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,812	07/05/2001	Bartholomew Blaner	BUR920000183US1	3222

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EXAMINER
CHANG, ERIC

ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Offic Action Summary	09/898,812	BLANER ET AL.
	Examiner	Art Unit	
	Eric Chang	2116	

-- The MAILING DATE of this communication appears on th cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 July 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>05 July 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>2</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-14 are pending.

Claim Objections

2.   Claim 12 is objected to because of the following informalities: the word "a n" in line 3 of

the claim should read, "an". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

5,987,605 to Hill et al, in view of U.S. Patent 6,438,687 to Klein, and in further view of U.S.

Patent 5,999,447 to Naura et al.

5.   As to claim 1, Hill discloses a system for initializing a data processing system,

comprising: a plurality of non-volatile memories utilized for storing a set of initialization data for

initializing said data processing system [col. 2, lines 24-30]; and a multiplexor interposed

between said non-volatile memories for determining a selection from said non-volatile memories

and relaying said selection to said plurality of parameter registers, in response to a control signal

[Abstract]. Hill teaches all of the limitations of the claim, including that the selection is made by multiplexing means controlled by a long or a short reset signal, but does not teach a plurality of parameter registers, or that the user may enter initialization parameters instead of using the initialization data from the non-volatile memories.

Klein teaches non-volatile memories that contain initialization parameters [col. 4, lines 1-15], and that data is loaded from the configuration information, into such devices as a plurality parameter registers [col. 1, lines 35-45]. In addition, Klein teaches how a user may enter parameters to be used in the initialization process and/or to be further stored into the memories [col. 5, lines 64-67, and col. 6, lines 1-14].

At the time that the invention was made, it would have been obvious to a person of ordinary skill in the art to employ the initialization parameters and user input as taught by Klein. One of ordinary skill in the art would have been motivated to do so that the user may enter initialization parameters.

It would have been obvious to one of ordinary skill in the art to combine the teachings of the cited references because they are both directed to the problem of initializing a data processing system from a plurality of data sources. Moreover, the initialization parameters means taught by Klein would facilitate the implementation of the teachings of Hill because it specified how configuration parameters are stored in the non-volatile memories and loaded into parameter registers, substantially as claimed. In addition, the user input means taught by Klein would further improve the robustness of Hill by allowing the user to recover from memory failure by being able to specify parameters directly to the data processing system for initialization purposes and/or updating the contents of a memory.

Hill and Klein teach all of the limitations of the claim, but do not teach that the non-volatile memories comprise a serial and a parallel non-volatile memory.

Naura teaches that non-volatile memory may either be serial or parallel in nature [col. 1, lines 11-14].

At the time that the invention was made, it would have been obvious to a person of ordinary skill in the art to employ either serial or parallel non-volatile memory as taught by Naura. One of ordinary skill in the art would have been motivated to do so that either serial or parallel non-volatile memory may be selected to provide initialization parameters.

It would have been obvious to one of ordinary skill in the art to combine the teachings of the cited references because they are both directed to the problem of utilizing non-volatile memory. Moreover, the serial or parallel means taught by Naura would facilitate the implementation of the teachings of Hill and Klein because it specified the types of non-volatile memories that may be used to contain initialization parameters, substantially as claimed.

6.   As to claim 2, Hill discloses a set of control resistors coupled to a user-defined control input, wherein said set of control resistors outputs said control signal in response to said user-defined control input [col. 4, lines 15-33].

7.   As to claim 3, Klein discloses a set of initialization resistors coupled to a user-defined initialization input, wherein said set of initialization resistors outputs an initialization signal, in response to said user-defined initialization input [col. 6, lines 2-6]. Klein teaches user input of

initialization parameters; it would have been obvious to one of ordinary skill in the art to use

initialization resistors, or other storage means, to store said input from the user.

8.   As to claims 4-6, Hill discloses a command decoder is interposed between said

multiplexor and said processor and said non-volatile memories, said command decoder is

utilized for filtering commands issued from said processor for a set of desired commands and

controlling data sent from said non-volatile memories [col. 5, lines 30-40].

9.   As to claim 7, Hill, Klein and Naura disclose the initialization system, substantially as

claimed. Because Hill, Klein and Naura teach the system, they also teach a data processing

system implementing said system.   In addition, Klein teaches the data processing system would

further comprise a host processor; and a host memory [FIG. 1, elements 12 and 20].

10.   As to claim 8, because Hill, Klein and Naura disclose a data processing system

implementing the initialization system, they also teach an integrated circuit implementing the

initialization system, substantially as claimed.

11.   As to claim 9, Hill discloses a method of initializing a data processing system,

comprising: sending a control signal to a multiplexor, said control signal designating one of a

plurality of sets of initialization data as a preferred set of initialization data [Abstract, and col. 2,

lines 31-41]; and utilizing said preferred set of initialization data stored in said plurality of

parameter registers to initialize said data processing system [col. 2, lines 24-41]. Hill also

teaches that there may be more than two sets of initialization data [col. 2, lines 60-64]. In

addition, Klein teaches relaying said preferred set of initialization data to a plurality of parameter

registers [col. 1, lines 35-45].

12.   As to claim 10, Hill discloses generating a signal, by a user, from a user-defined control

input to send said control signal to said multiplexor [col. 4, lines 15-33].

13.   As to claim 11, Hill discloses filtering commands by a command decoder, said

commands issued from a processor, in response to designating a set of initialization data stored

in a parallel non-volatile memory as said preferred set of initialization data [col. 5, lines 30-40].

14.   As to claim 12, Klein discloses designating an initialization signal sent from an

initialization input as said preferred set of initialization data, in response to selecting a first

option by said control signal [col. 6, lines 2-6].

15.   As to claim 13-14, Hill discloses designating a set of initialization data stored in a non-

volatile memory as said preferred set of initialization data, in response to selecting an option by

said control signal [col. 4, lines 6-4].

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Chang whose telephone number is (703) 305-4612. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ec

April 27, 2004

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